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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/822,233	04/09/2004	Paul Edward Cuddihy	145885-1	1728
6147	7590	04/07/2006	EXAMINER	
GENERAL ELECTRIC COMPANY GLOBAL RESEARCH PATENT DOCKET RM. BLDG. K1-4A59 NISKAYUNA, NY 12309			TANG, SON M	
			ART UNIT	PAPER NUMBER
			2612	

DATE MAILED: 04/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/822,233

Applicant(s)

CUDDIHY ET AL.

Examiner

Son M. Tang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4/9/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims **1, 3, 6 and 9** are rejected under 35 U.S.C. 102(b) as being anticipated by Applicant Admitted Prior Art (AAPA) at Fig. 4 and ¶ 0025 of specification.

Regarding claims 1 and 9: (AAPA) discloses a wireless motion sensor for determining when motion ceases, comprising:

- a detector (WATCH) for detecting activity;
- a transmitter for transmitting a first signal indicative of a first detection of activity [step 162];
- a processor is inherently in the sensor to perform the steps in Fig. 4;
- a timer which begins running upon a first detection of activity [step 164];
- wherein upon the timer running to a set time period (3-4 seconds) without detection of any subsequent activity after the first detection of activity, the transmitter transmits a second signal [step 166] indicative of inactivity [see Fig. 4, page 7 and ¶ 0025 in specification].

Regarding claim 3: Refer to the consideration in claim 1 above.

Regarding claim 6: (AAPA) further shows that the set time period is no greater than five minutes (3-4 seconds) [see step 164].

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over (AAPA).

Regarding claim 2: (AAPA) disclose all the limitations as described above, except for not specifically shows that the transmitter is adapted for wireless transmitting signals, however, the (AAPA) shows that the conventional sensor comprises a transmitter which may obviously implement the wireless transmitter to transmit to a remote location [see Fig. 4]. Further more, Examiner takes Official Notice that wireless transmitter is known in the motion detection art. It would have been obvious of one having ordinary skill in the art at the time of the claimed invention to employ a wireless transmitter for the benefit of reduce the cost of labor to install wiring.

5. Claims 4-5, 7, 10-11, 13 and 15-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over (AAPA) in view of Ichikawa [US 5,153,560];

Regarding claims 4-5 and 10-11: (AAPA) disclose all the limitations as described above, except for not specifically shows that the sensing mechanism of a sensor is a passive infrared detecting mechanism, Ichikawa teaches a motion sensor comprises a passive infrared detecting mechanism [see col. 3, lines 1-4]. It would have been obvious of one having ordinary skill in the art at the time of the claimed invention to have a passive infrared detecting

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mechanism as taught by Ichikawa into the sensor of (AAPA), for the benefit of conserving energy, since the passive sensor is not a continuous scanning sensor.

Regarding claims 7 and 13: (AAPA) disclose all the limitations as described above, except for not specifically shows the sensor detecting vicinity such as an interior doors, Ichikawa teaches a motion sensor which uses to detect the movement of the person inside a room having a door [see col. 1, lines 60-64]. It would have been obvious of one having ordinary skill in the art at the time of the claimed invention to mount the motion sensor at the vicinity that user wants to monitor including the interior doors as suggested by Ichikawa in the motion sensing system of (AAPA), so that the system be able to detect the movement of person activity inside the home.

Regarding claims 15-21: The claimed method steps are interpreted and rejected as rejection stated above.

6. Claims **8 and 14** are rejected under 35 U.S.C. 103(a) as being unpatentable over (AAPA) in view of Ichikawa in claims 7 and 13 above, and further in view of Lane et al. [US 6,002,994].

Regarding claims 8 and 14: (AAPA) and Ichikawa disclose all the limitations as described above, except for not specifically mention that the sensor comprises a pad for detecting activity, Lane teaches an activity monitoring system comprises a pad (mat 99) that uses for detecting the activity of a person in a selected environment [see Fig. 9, col. 5, lines 21-26]. It would have been obvious of one having ordinary skill in the art at the time of the claimed invention to have a pad sensor for detecting activity as suggested by Lane in the combination above, for the benefit of that the pad (mat) sensor is used for a specific vicinity such as at the door, on the bed or on the chair.

Conclusion

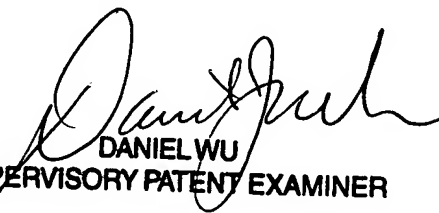
7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Blissett et al. [US 4,346,427], Hodges [US 4,947,152], Newham [US 5,471,198] and Ogino [US 5,724,990].

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Son M. Tang whose telephone number is (571)272-2962. The examiner can normally be reached on 4/9 First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J. Wu can be reached on (571)272-2964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Son Tang


DANIEL WU
SUPERVISORY PATENT EXAMINER
4/03/06